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PTO/SB/21 (08-04)

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

7

Application Number

10/609,226

Filing Date

06/30/2003

First Named Inventor

Robert B. Lawson

Art Unit

3637

Examiner Name

A. Phi Dien Tran

Attorney Docket Number

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lawson Aquatics, Inc.		
Signature	<i>Robert B. Lawson</i>		
Printed name	Robert B. Lawson		
Date	10/15/04	Reg. No.	

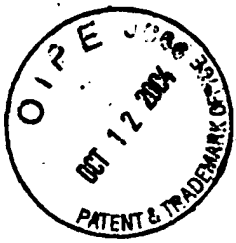
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Signature	<i>Robert B. Lawson</i>		
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## Response to a second non-Final Office Action

Application No. 10/609,226

This Communication is a response to a second non-Final Office action having a mailing date 08/25/2004 and setting forth a shortened statutory period for response of three months which would expire on 11/25/2004.

In response to the PTO communication the applicant will follow the sequence of the paragraphs used by the examiner.

Par. 1. The applicant recognizes the Final of the requirement for restriction.

Par. 2. A recitation of the second Par. of 35 U.S.C. 112.

Par .3 Claims 9, 11 - 14 are rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention.

The examiner insists that the recitation "an edge including straight edges and curvatures" is indefinite. The examiner continues "that it is unclear how an edge can have straight edges and curvatures" The examiner's attention is directed to the "Random House College Dictionary" where an edge has been defined. An edge can be both straight or curved. Applicant in claim 9 only claims said pool having an edge including curvatures . This recitation cannot be rejected as the pool edge as only being straight but also including curvatures. The examiner is respectfully requested to withdraw this type of a rejection as having no basis in the English language.